

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CASE NO. 2:19-cv-02036-RSM  
STIPULATED MOTION TO  
EXTEND ANSWER DEADLINE  
AND ORDER

LASSANA MAGASSA,

Plaintiff,

v.

CHAD WOLF, *in his Official Capacity as  
Acting Secretary of the Department of  
Homeland Security, et al.*,

Defendants.

COMES NOW Defendants Chad Wolf, David Pekoske, Mark Morgan, William Barr, Christopher Wray, and Charles Kable, all in their official capacities (the “Official Capacity Defendants”), through their counsel Antonia Konkoly, Trial Attorney, U.S. Department of Justice, and Plaintiff Lassana Magassa, by and through his counsel, in this stipulated motion to extend by one week, from March 6, 2020, to March 13, 2020, the deadline by which the Official Capacity Defendants must answer or otherwise respond to Plaintiff’s Complaint. In addition, the Official Capacity Defendants and Plaintiff jointly request that each be granted leave to file memoranda—respectively, in support of and in opposition to the Official Capacity Defendants’ anticipated motion to dismiss—not to exceed 30 pages, in excess of the limitations set by LCR 7(e)(3).

1 The grounds for this motion are as follows:

2 1. Plaintiff initiated the instant action on December 12, 2019. Dkt. No. 1. Plaintiff's  
3 claims generally relate to (1) the prior revocation of his Security Information Display  
4 Area ("SIDA") badge, which he required to hold a job in a secure area of the Seattle-  
5 Tacoma Airport; (2) the procedural sufficiency of the administrative redress procedures  
6 he was afforded (prior to the later re-issuance to him of a new SIDA badge) to appeal this  
7 revocation; and (3) his allegations that he has encountered certain travel-related  
8 difficulties as a result of an alleged placement on the Terrorist Screening Database  
9 ("TSDB"). *See generally id.*

10 2. Plaintiff served the U.S. Attorney's Office for the Western District of Washington  
11 via hand delivery on January 6, 2020. Accordingly, the current deadline by which the  
12 Official Capacity Defendants must answer or otherwise respond to Plaintiff's Complaint  
13 is March 6, 2020. The Official Capacity Defendants plan to file a motion to dismiss under  
14 Rule 12(b)(1) and/or Rule 12(b)(6) ("Official Capacity Defendants' motion").

15 3. The Official Capacity Defendants' anticipated motion to dismiss is in progress;  
16 however, due to short-term conflicts and competing professional obligations on the part  
17 of relevant U.S. Department of Justice personnel, including but not limited to the  
18 undersigned counsel, the Official Capacity Defendants request a brief, one-week  
19 extension of their response deadline, through and including March 13, 2020, in order to  
20 ensure adequate time for the preparation and internal review of their motion, while  
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1 concurrently meeting other pending litigation deadlines as well as other professional  
2 obligations.

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4 4. The parties have conferred, and Plaintiff consents to the requested one-week  
5 extension, provided that the Official Capacity Defendants notice their anticipated motion  
6 to dismiss for consideration on April 17, 2020, in order to accommodate numerous  
7 scheduling conflicts on the part of Plaintiff's counsel extending from mid-March through  
8 the beginning April. The Official Capacity Defendants agree that if the requested one-  
9 week extension is granted, they will notice their anticipated motion to dismiss for  
10 consideration on April 17, 2020, which pursuant to LCR 7(d)(3) will require Plaintiff to  
11 file an opposition on or before April 13, 2020.  
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14 5. Additionally, the parties jointly request that each be afforded leave to file  
15 memoranda—respectively, in support of, and in opposition to the Official Capacity  
16 Defendants' anticipated motion to dismiss—not to exceed 30 pages. The parties  
17 respectfully submit that this request is both supported by good cause and in the interest of  
18 judicial economy. Plaintiff's allegations purport to implicate the maintenance and  
19 implementation of the TSDB, a complex inter-agency undertaking. They further  
20 implicate the Transportation Security Administration's ("TSA") procedures for  
21 conducting Security Threat Assessments of persons seeking to hold credentialed access to  
22 secure areas of airports, and for allowing persons whose credentials have been revoked  
23 the ability to appeal such revocations. The details of these administrative schemes are  
24 crucial to both Plaintiff's claims, and the Official Capacity Defendants' defenses, and  
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1 thus require careful and through elaboration and discussion. In addition, the Official  
2 Capacity Defendant intend, in response to the varied nature of Plaintiff's alleged injuries,  
3 and the numerous legal theories under which he seeks to vindicate them, to interpose  
4 numerous distinct grounds for dismissal, pursuant to both Rule 12(b)(1) and 12(b)(6).  
5 Accordingly, the parties respectfully assert that the additional requested pages are in the  
6 interest of judicial economy, in that they will allow both sides adequate space in which to  
7 develop and interpose in their respective pleadings all of their many relevant arguments  
8 and/or defenses.  
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11 A proposed order is attached hereto for the convenience of the Court.  
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15 DATED this 2nd day of March, 2020.

16 **SO STIPULATED**

17 Respectfully submitted,

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19 United States Attorney

20 JOSEPH H. HUNT  
21 Assistant Attorney General

22 TONY COPPOLINO  
23 Deputy Branch Director  
24 BRIGMAN J. BOWEN  
25 Assistant Branch Director

26 /s/  
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*Counsel for the Plaintiff*

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**ORDER**

Pursuant to the parties' motion, and the parties having stipulated and agreed, and the Court finding good cause, it is hereby **ORDERED** that the deadline by which the Official Capacity Defendants must answer or otherwise respond to Plaintiff's Complaint is extended by one week, through and including March 13, 2020. The Official Capacity Defendants, who intend to file a motion to dismiss Plaintiff's Complaint, shall notice their anticipated motion to dismiss for consideration on April 17, 2020; pursuant to LCR 7(d)(3), Plaintiff will accordingly file an opposition to this motion on or before April 13, 2020.

It also hereby further **ORDERED** that the Official Capacity Defendants, and the Plaintiff, may each file a memorandum, respectively, in support of and in opposition to the Official Capacity Defendants' anticipated motion to dismiss, not to exceed 30 pages.

Dated this 4 day of March 2020.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE